



VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

May 16, 2016

Re: CC Docket No. 02-33 – Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Blue Valley Tele-Communications – Study Area #411746.

Dear Ms. Dortch:

Pursuant to the Commission's Wireline Broadband Order, Blue Valley Tele-Communications hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016, Blue Valley Tele-Communications plans to offer wireline broadband internet access service on a permissive de-tariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Thomason", is written over a light blue horizontal line.

Brian Thomason  
Blue Valley Tele-Communications  
1559 Pony Express Highway  
Home, KS 66438

CC: Tim Schwane - NECA Region Manager



Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
May 16, 2016

Notice of Permissive Detariffing of Wireline Broadband Internet Access Service  
Effective July 1, 2016

Blue Valley Tele-Communications  
(Study Area 4411746)  
1559 Pony Express Highway  
Home, KS 66438  
(785) 799-3311

CC Docket No. 02-33

Blue Valley Tele-Communications hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016 Blue Valley Tele-Communications will begin offering wireline broadband internet access service on a Title II, common carriage, permissive de-tariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order<sup>1</sup>. The geographic areas affected are those Blue Valley Tele-Communications exchanges where DSL is technically feasible.

Today, this service is provided to One Point Communications. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by Blue Valley Tele-Communications. As stated in the attached customer notice Blue Valley Tele-Communications will continue to offer services to existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2016, Blue Valley Tele-Communication's rates, terms and conditions for its permissively de-tariffed wireline broadband access service will be available at its office located at 1559 Pony Express Highway Home, KS 66438 and on its website at [bluevalley.net](http://bluevalley.net).

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<sup>1</sup> See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005). FCC 05-150 (rel. September 23, 2003) ("Wireline Broadband Order").



**CERTIFICATE OF SERVICE**

I Brian Thomason, do certify that I have, on this 16<sup>th</sup> day of May, 2016:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Sam Brownback  
Capitol, 300 SW 10<sup>th</sup> Ave., Ste. 241S  
Topeka, KS 66612-1590

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
1400 Defense Pentagon  
Washington, DC 20301-1400

Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

2. Serviced via paper copy of the Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

One Point Communications  
1559 Pony Express Highway  
Home, KS 66438

A handwritten signature in blue ink, reading "Brian K. Thomason", is written over a horizontal line.

GM/CEO



May 16, 2016

Blue Valley Tele-Communications  
1559 Pony Express Highway  
Home, KS 66438

RE: CC Docket 02-33 – Notice of Permissive De-tariffing of Wireline Broadband Internet Access Service  
by Blue Valley Tele-Communications- Study Area #411746.

Dear Valued Customer:

Our records indicate that One Point Communications is currently purchasing wholesale broadband transport service from Blue Valley Tele-Communications under NECA Tariff Number 5 ("Tariff"). This letter is to advise you that Blue Valley's study area 411746 will discontinue provision service on July 1, 2016, pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or upon replacement with a Broadband Commercial Agreement. Blue Valley's rates terms and conditions for its non-tariffed wireline broadband access service will be available at its office located at 1559 Pony Express Highway, Home, Kansas 66438 and on its website [bluevalley.net](http://bluevalley.net).

The actions described above are taken in accordance with the FCC's Report and Order (FCC 15-150) released September 23, 2015 in Docket No. 02-33. In the order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively de-tariffed basis.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Thomason".

Brian Thomason  
CEO/General Manager  
Blue Valley Tele-Communications

Cc: NECA Region Manager